

March 7, 2006


Testimony of Ira and Myrtle Leonard

Hamden, Ct 06518

Grand Larceny on a Royal Caribbean Cruise Ship, June 2004 and the surprising aftermath.


Good afternoon gentlemen:

Thank you for this opportunity to address the Subcommittee on National Security, Emerging Threats, and International Relations Hearing on International Maritime Security.



First, we are private citizens who suffered a **grand larceny** on a Royal Caribbean cruise Ship in June 2004. We are here to discuss and answer any questions about what happened, how we were treated on the ship after we reported the theft and thereafter by Royal Caribbean Cruise line officials, and our subsequent experiences with the Federal Maritime Commission, U.S. Coast Guard, the Travel Industry Media, the Prime Minister of The Bahamas, and AAA which booked us on the cruise.

Is it possible to generalize from one incident about a whole condition? In this case, we say yes, since ours is what might be called "The Classic Case". **A grand larceny on board a cruiseship that nobody would or could do anything about.** Every individual and agency, public and private, we appealed to either refused or failed to deal with the situation. **This goes beyond poor customer relations by a multi-billion dollar company doing business in the US; it involves a persistent refusal to deal honestly**



with a grand larceny, even to the point of denying it took place--and this was made possible because RCI, and perhaps other cruise lines operating out of American ports, are not subject to US laws.

That is why we are here.

My wife and I are both retired university teachers.

We do not represent any organization, nor are we involved in any law suit concerning this matter or the possessor of any federal grant or contract, now or during the last two years.

My remarks today supplement our lengthy testimony with supportive documents we submitted to Congressman Shays' office and which was placed in the permanent record of the December 13, 2005 Hearing, and an additional file recently provided to the Subcommittee staff.

And we will answer any specific questions that you may ask to clarify our testimony.


The bare facts are as follows:

We were the victims of a **grand larceny** while on a Royal Caribbean Cruise in Bermuda. Jewelry valued at approximately \$ 6,774.00 was stolen from our stateroom aboard the Royal Caribbean ship, *Empress of the Seas* (cabin 3020; May 29, 2004 sailing date), on the evening of June 2nd, and was reported to the ship personnel early on the morning of June 3rd, 2004.

We filed a signed statement, **using an RCI form**, with the ship's Chief Security Officer, William MacLaughlin, who conducted a search of our room with Chief Housekeeper Ann Marie. They did not find the jewelry which had been in a satin turquoise jewelry pouch buried in a suitcase, underneath another suitcase, on the porthole shelf.


We were told by Luis Martins, Guest Relations Manager, that our statement and the Chief Security Officer's report about the robbery were being forwarded to Royal Caribbean International in Miami. He gave us their card and his card and instructed us to contact them upon returning home. He also told us not to worry and to continue enjoying the cruise because **"Royal Caribbean has a reputation for doing the right thing."** We were naïve enough at the time to believe that Royal Caribbean would do the right thing, but we no longer enjoyed the cruise.

We repeatedly asked Mr. Martins for a copy of our signed statement reporting the theft and a copy of the Chief Security Officer's report. Finally, Saturday afternoon (we were disembarking early Sunday morning), my wife called Mr. Martins and said she was coming to his office to get the documents **and wasn't getting off the ship without a copy of our report.** He promised to bring it to our stateroom at 6 pm, which he did. **He said he could not give us a copy of the Security officer's report.** Subsequently, we asked for a copy of the report, through the Federal Maritime Commission, the US Coast Guard, and the Prime Minister of The Bahamas, where the ship is registered, but it was never provided .




We reported the robbery, as instructed, to Royal Caribbean Representative **Betty Taillefer, Personal Property, Guest Relations**, in Miami, on June 9th, the day after we arrived home. She said she had not received any information about the theft from the *Empress of the Seas*. Pursuant to our phone conversation with her, **we faxed her a copy of our shipboard statement** along with additional statements made to her that day and again on June 29, 2004.

Ms. Betty Taillefer, sent us the first of two **identical RCI form letters**, dated June 30th 2004, in which she dismissed company responsibility, directing us to the Cruise Documents' disclaimer, and officially referring to the grand larceny as the **“unfortunate incident.”** We are RCI file number #NE 05/29/04 BK3156907 .




We then sent a letter to the President of Royal Caribbean International, Mr. Jack Williams on July 12, 2004 requesting a mutually acceptable agreement by August 2, 2004. He did not respond to this letter, but Betty Taillefer sent us **a second copy of her June 30th, 2004 form letter, now dated August 20th 2004.**

We believe that the incident was due to negligence by ship personnel and lack of security procedures, which were documented in our statements to the ship's Chief Security Officer, among others, and to Ms. Taillefer and Mr. Jack Williams.




First, There was no safe in the room. Royal Caribbean's **official cruise booklet** said “most rooms” had safes. We found out most rooms did not (and that was confirmed by



Luis Martins when we asked him), although the ship had been completely “**Refurbished by 4/11/2004.**” Our steward said the room was secure because it could only be entered with the key cards. The steward said there were only three people with access to the room, my wife, me, and himself.


However, my wife Myrtle, was issued *multiple key cards* over a period of two days in order to have proper access to our cabin.


1. The **first key card** was issued to her in Bayonne, N.J. as she was about to enter the ship. This card didn’t work and the steward sent her to Guest Relations to receive another pass (**the second key card**).



2. When she later discovered the second key card didn’t work, she returned to Guest Relations and was asked if she had changed rooms because the key card she had been given was for someone else’s room in the 35 section of the ship (We were in the 30 section). She was given **another key card (the third key card)**.


3. She was successfully using the third card until she later realized my name was on the key card instead of hers which needed to be there in order for her to leave and board the ship. She returned to Guest Relations and received a **fourth key card** with her name on it.






4. It took **four cards** in order for her to have valid access to our room. Keep in mind she was in each of those lines for 15 minutes to one half hour.

None of the key cards were destroyed in front of her. We don't know what happened to them after she turned them in, but we do know the third pass worked and had the last 3 digits (020) of our four digit room number on it as well as our dinner seating time of 8:30 (as did our fourth key card). Anyone with knowledge of the ship would know exactly when we would not be in our room and could try rooms 3020, 4020, etc.



Chief Security Officer MacLaughlin specifically told us, after the burglary, that the key cards should have been cut up in front of her. This is one example of several instances we have documented in our statements to RCI where proper procedure was not followed on board the ship after we reported the burglary.

We feel that the key card incidents described above were evidence of negligence and lack of security. If she was given a key card to some other room, how do we know some one wasn't given one to ours? Also, the third key card worked and had our information on it. We expressed our concern about people having further access to our room. Luis Martins kept dismissing the notion of multiple key cards as being a problem, insisting they had been deactivated when they were turned in. **However, at approximately 3pm in Guest Relations on the Saturday after the burglary, we and several other passengers witnessed a crew member with a box of key cards, cutting them up into little pieces.**




We'd like to point out that the key cards are also used as **credit cards** which presents another security problem. **Ship personnel walk away with them to complete transactions.** On May 31st, we ordered drinks in the Schooner Lounge at 11 pm, handing our key card to the waitress. When neither the drinks nor the card had arrived by 11:45, we went looking for her. She said she had asked another person to deliver our drinks. The card with all our information was out of our presence for 45 minutes. A situation like this presents an opportunity for burglary, identify theft, planting of contraband in a room, etc., if someone was so inclined.

In the interest of security we feel key cards should not have room numbers or dinner times on them. (On a previous cruise on RCI *Enchantment of the Seas*, the card had our complete room number on it.) We also recommend ship personnel carry hand-held credit machines and complete credit transactions in front of passengers. (We found this to be common practice in hotels and restaurants in France in 2001.)

When Royal Caribbean dismissed our "unfortunate incident", we asked our AAA travel agent to which official agency should we report the crime. He directed us to the Federal Maritime Commission.


We reported the grand larceny to the Federal Maritime Commission.

We reported the theft to the Federal Maritime Commission on August 4, 2004 and received a file number 04-A-6-642. Ms. Pearl Carr-Notice (202 523-5807), of the FMC



informed us that the agency sought to act as an intermediary and work out solutions, but it had no coercive power to do so. On January 26, 2005, Ms. Carr-Notice said she contacted Ms. Betty Taillefer on January 25th and **Ms. Taillefer sent her the same form letter she sent us referring her to the cruise documents.**


We asked Ms. Carr-Notice if she would request Ms. Taillefer to send her a copy of Security Chief MacLaughlin's report, which she did, but it has not been forthcoming . **In a letter faxed to Ms. Carr-Notice, dated February 9, 2005, Ms Taillefer, asserted: "WE HAVE CONTACTED OUR VESSEL AND NO NOTICE OF INCIDENT WAS REPORTED ON BOARD."**



More than nine months after we reported the burglary to RCI, which included our handwritten statement on the RCI-generated form, the company representative told the Federal Maritime Commission that "NO NOTICE OF INCIDENT WAS REPORTED ON BOARD".

We contacted the U.S. Coast Guard.

We sent a freedom of information request, as per Pearl Carr-Notice's suggestion to the U.S. Coast Guard (which contained the full file of documents in support) requesting information about the grand larceny, the ship's Chief of Security's official report, and to which law enforcement agency RCI had reported the grand larceny. We also pointed out the lax security with key cards on board the ship presented opportunities for identify theft and terrorism. If someone could enter the



room and steal, could they not also plant **deadly contraband** in the room of an unsuspecting cruise guest.

The Coast Guard Freedom of Information officer denied our request, indicating that was not his agency's responsibility, but in his letter suggested we **contact the Prime Minister of The Bahamas**. So, we sent a letter to the Prime Minister of The Bahamas and requested whether Royal Caribbean, whose ship *Empress of the Seas* is registered there, reported the grand larceny to any law enforcement agency in his country. **We never received even an acknowledgement of the letter and accompanying documents.**

We sent the President of AAA all our information and asked **how AAA could, in good conscience, continue to book their members on RCI**. Finally, Sandra Hughes, Vice President for Travel Services sent us a letter, on July 26, 2005, in which she assured us **"All parties are in agreement that the claim had been reviewed properly and appropriately,"** although she conceded **"our relationship with RCI is not one of authority in this matter."** And, she continued, **"with respect to the multiple card keys produced for our room we have verified that when a new key card is produced, the previous card key is deactivated as a security measure."** I guess that is why my wife and other RCI guests saw a Guest Relations staff member busily cutting dozens of key cards two days after the burglary!

We contacted the Travel Media

We contacted the **CondeNast *Traveler*** Ombudsman, Eric Jordan, who informed us (on June 20, 2005), that thefts were so frequent on cruises that his magazine cannot deal with the issue. **“Without cooperation from the company,”** he said, **“we simply do not have the resources nor the authority to conduct investigations related to a company’s negligence.”** The Manager of the Consumer Complaint Column of *Travel and Leisure* did not even have the courtesy to respond to our two letters outlining the issue.

Finally, we tried to contact the RCI Security Manager.

On April 20, 2005 we wrote to Captain Howard A. Newhoff, Security Manager for Royal Caribbean International, asking for the official report by RCI of the grand larceny to some law enforcement agency.

This prompted first a personal phone call and then, at our request, a letter from the company representative, Betty Taillifer; she indicated that RCI (and perhaps all other cruise lines?) did not have to report thefts –grand larcenies on shipboard--of less than \$10,000!

Bingo!

At long last, we finally understood: The CRUISE LINES ARE IMMUNE TO THE LAWS OF THE UNITED STATES and citizens board at their own risk, and we found the answer to our question: to whom can American citizens turn to when they are victimized on a cruise?

We also realized the statistics about cruise ship safety were totally unreliable if thefts under \$10,000 were not counted. 10K is an outrageously high threshold for reporting of a crime.

We are now convinced that every Royal Caribbean ship should have a sign on the gangplank "ENTER AT YOUR OWN RISK!"

The TWO BASIC issues are:

- 1) cruiseline safety and the treatment of a cruiseline customers, and
- 2) the threat of terrorism

Most cruiseline passengers board the ship feeling it is safe and they are secure and if something happens, the ship's company will rectify it. Our experience with Royal Caribbean International since June 2004 has taught us that there is there is **NO ONE (not the Federal Maritime Commission, lawyers, the Travel Industry Media, the booking agent in this case, AAA)** capable of advocating (or willing to do so) for the passenger should a major problem occur.

This has brought us to the realization that the cruise line passenger is entirely on his/her own unless they want to sue, which as it turns out, is not cost effective because of the way the cruise documents are skewed in the cruise line's favor. (Furthermore, most lawyers we have spoken to are hesitant to take on cases because of their lack of expertise


in Maritime Law and will caution about the expense involved, especially having to sue in a Miami, Florida court as RCI cruise documents require. **This allows the company to ignore safety procedures that are commonly practiced in most US hotels).** The Congress **must pass remedial legislation requiring cruise lines to make public the documented crimes committed on board and mandate that the companies not hide behind their Cruise Documents to deny reasonable remedies.**

There needs to be an agency to which passengers can report crimes and which can compile accurate statistics which are available to the public. If you don't feel safe in a hotel, you can leave and walk down the block to another, but one doesn't have that option on a cruise ship. Cruise ship officials should not be allowed by Congress to 'thumb their noses' to a government agency like the Federal Maritime Commission, as we believe Betty Taillefer of RCI did.

THE TERRORISM POTENTIAL:

If you can get into someone's cabin to steal property and personal identities, why can't you place contraband in the cabin? What about the transit of contraband from cruise ships into American ports-- the potential for terrorists -- using unwitting passengers to bring in deadly stuff? At this moment, the focus is on container ships coming into U.S. ports and the transit of containers all over the nation possibly carrying contraband, but wouldn't enemy action on a cruise ship coming into a major US port create a devastating impact?

Along this line, we and others noted that ship personnel screening passengers, as we entered and exited the *Empress of the Seas*, from port stops (Hamilton, in



particular), consisted of 3 and 4 persons of the same foreign nationality handling entry to the ship. *That should never happen!*

One final question: Whose laws govern cruise ships using places like Bayonne, New Jersey, Miami, etc.?

We sincerely hope that this subcommittee will consider and recommend to the full Congress remedial legislation in the areas we defined.

Respectfully submitted,



Ira M. Leonard